

From: "Bruce & Sara Schundler" <bruce@schundler.net>
To: <Laurie_Larson-Jackson@doioig.gov>
Subject: Bruce and Sara Schundler and Mesa Verde NP
Date: Tuesday, February 08, 2011 5:10 PM

Hello Laurie

Thanks for taking the time in what obviously was a busy day to talk with me!

Here are the items you wanted:

1-Copies of my SF-50b's from 2006,2007, and 2009.

2-My letter to the DOI's OIG on October 1, 2009 (see attached) and my later letter concerning nepotism.

3-The family website I have maintained is www.schundler.net. And the page on which I disclosed every letter and communication related to my FOIA request in 2009 and 2010 is at <http://schundler.net/FOIA.htm> .

4-The link to the report on the Crater Lake NP case is <http://www.craterlakeinstitute.com/crater-lake-news/whistleblower.htm>

As you may suspect, for the purposes of filing a Whistleblower Protection Act complaint, I feel I am a "covered employee." In the CRS Report for Congress ("The Whistleblower Protection Act: An Overview" ...dated March 12, 2007"), it summarizes the law by saying, "current employees, former employees, or applicants for employment to positions in the executive branch of government in both the competitive and the excepted service, as well as positions in the Senior Executive Service, are considered covered employees."

I also believe I engaged in a number of "protected disclosures" (as defined by the WPA). Specifically, these would be my formal FOIA requests, my website which disclosed my FOIA requests and related activities, and my letters to the OIG. The CRS Report for Congress defines "protected disclosures as "any disclosure of information" that a covered employee "reasonably believes" evidences "a violation of any law, rule, or regulation" or evidences "gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety" is protected on the condition that the disclosure is not prohibited by law nor required to be kept secret by Executive Order.¹⁰ Moreover, "any disclosure" made to the Special Counsel or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, which the employee "reasonably believes" evidences "a violation of any law, rule, or regulation," or evidences "gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety" is also

protected."

I also believe the new and current Superintendent at Mesa Verde NP, Cliff Spencer, engaged in a prohibited "Personnel Action." Very specifically, he ordered our supervisor, Linda Martin, not to rehire us to work as Park Rangers for the 2011 summer season. Meanwhile, other former Rangers who had received good evaluations and who were not Whistleblowers were rehired this year. A new policy wasn't established, and new hiring criteria were not implemented. Simply stated, our supervisor was "given direct orders from the Superintendent" not to re-hire Bruce and Sara Schundler.

Having said that, let me summarize my goals and objectives:

1-If the new Superintendent at Mesa Verde is allowed to "get away" with not allowing Sara and me to be re-hired, it will send a clear and obvious message to many people---at Mesa Verde and at many other parks--- that nothing has changed, and that no one should ever question or challenge a Superintendent, or ever file a FOIA request or write the OIG about any possible waste, fraud or abuse. And to allow that to happen would be wrong, and it would be wrong to be a part of it and to not fight against it; and it would be against the spirit and letter of the laws Congress has passed. And to all who hear about our situation and what happened to us, it also will communicate that the Whistleblower Protection Act is a shame, it's worthless, and it's simply not taken seriously in the National Park Service.

2-On the other hand, I believe Cliff Spencer may have made a mistake, he may not have considered all the ramifications of what he was doing, and he may want to be given a chance to reconsider his decision.

3-Meanwhile, Sara and I have made commitments to work at the Statue of Liberty and Ellis Island this summer. We have received our formal paperwork, and we've submitted everything required to work there this coming summer 2011.

4-We would like to work at Mesa Verde NP again.

5-In the best scenario, we would like to see a negotiated settlement wherein Cliff Spencer guarantees we'll be re-hired in the future, for the summer of 2012 for instance, and that we'll be allowed to live in the White House Loop. (If the park is "forced" to rehire us, they could make our life difficult by not offering us housing in what's called the White House Loop.)

6-Finally, if through your office, Laurie, or through some other office or agency, a negotiated settlement or agreement cannot be reached, then we will do whatever we have to do to try to achieve our goals and objectives. And we hope you will let us know if that can be through the OSC, or whether we should pursue this with some other federal agency. And if we take the more formal OSC approach, it also may make sense to try other means of

adjudicating our case--through the media and Congress.

Sorry this has gotten so long....but wanted to share with you all our feelings before we leave this weekend. We'll be gone from Feb 13th to the 25th.

Take care and many thanks again for your help!

Bruce Schundler

----- Original Message -----

From: <Laurie_Larson-Jackson@doioig.gov>
To: "Bruce & Sara Schundler" <bruce@schundler.net>
Sent: Thursday, February 03, 2011 9:18 AM
Subject: Re: Are There Deadlines for Filing WPA Complaints?

Good morning,

There are no statutory or regulatory timeframes on whistleblower complaints unless 638 contract monies are involved which is apparently not the case here.

Formal complaints must be filed with the Office of Special Counsel (www.osc.gov).

We can talk in more detail by phone if you think that would be helpful. If so, please provide me with a phone number and time to call you on Tues. (2/8)afternoon.

Thank you,
Laurie Larson-Jackson

This message was sent from a wireless device.

----- Original Message -----

From: "Bruce & Sara Schundler" [bruce@schundler.net]
Sent: 01/31/2011 08:59 AM EST
To: Laurie Larson-Jackson
Subject: Are There Deadlines for Filing WPA Complaints?

Dear Ms. Larson

My wife and I thought we were all set to be re-hired as seasonal Park Rangers at a park where we had worked in 2007 and 2009, we had confirmations (via emails from our former supervisor) that we would have no problem being re-hired, but then two weeks ago she had to call us to say the

superintendent didn't want us re-hired---in my case we suspect because I had filed FOIA requests focusing on the park two years ago and had written the OIG (resulting in the former superintendent suddenly retiring) and in my wife's case for no reason we suspect other than because she is married to me. Consequently, my wife and I both plan to file formal WPA complaints.

We are hesitant to file formal complaints now, however, for fear that the "good old boy network" would create problems for us getting other jobs in the NPS.

So at this time we would like to ask: is there a time limit after a WPA violation occurs during which a complaint has to be filed, or do we still have time? And if there is a time limit, what is it?

We look forward to hearing from you.

Bruce and Sara Schundler